

UNITED STATES DISTRICT COURT  
Northern District of California

MALQUIAS REYNOSO, *et al.*,

No. C 10-00984 MEJ

Plaintiffs,

v.

**ORDER FOLLOWING OSC;  
SETTING BRIEFING SCHEDULE  
AND HEARING DATE**

CITY AND COUNTY OF SAN FRANCISCO,  
*et al.*,

Defendants.

On October 31, 2013, Plaintiff's counsel, Keith Oliver, appeared before this Court on an Order to Show cause regarding his repeated failure to comply with Court deadlines and violations of the Local Civil Rules and Federal Rules of Civil Procedure. Dkt. No. 139. On October 28, 2013, Mr. Oliver filed his Response to the OSC – which was due October 24, 2013, and was therefore untimely. Dkt. No. 140. After considering Mr. Oliver's Response and his argument at the OSC hearing, the Court finds that sanctions in the amount of \$3,000 are justified. However, the Court holds this ruling in abeyance until the end of this action – whether by settlement, dispositive motion, or trial – at which time Mr. Oliver may move for reconsideration of the Court's ruling, taking into account his anticipated compliance with all further Court deadlines.

As represented, Ms. Oliver filed Plaintiffs' Oppositions to Defendants' Motions for Summary Judgment on October 31, 2013.

Defendants' shall file their Reply briefs no later than November 21, 2013.

The Court sets this matter for hearing on January 30, 2014, at 10:00 a.m. in Courtroom B.

1 The Court further refers the parties to a settlement conference before Judge Beeler, to be held  
2 no later than the first week in January, or as soon as possible thereafter as directed by Judge Beeler.

3 **IT IS SO ORDERED.**

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5 Dated: November 4, 2013

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8 Maria-Elena James  
9 United States Magistrate Judge  
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